

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

FAIROL GOMEZ,

Defendant.

INFORMATION

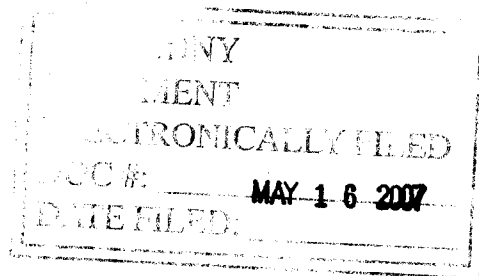
07 Cr. (JGK)
07 CRIM 432

COUNT ONE

The Grand Jury charges:

1. From in or about February 2006, up to and including in or about April 2006, in the Southern District of New York and elsewhere, FAIROL GOMEZ, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly combined, conspired, confederated, and agreed together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that FAIROL GOMEZ, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, fifty grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of Sections 812, 841(a)(1), and 841(b)(1)(A) of Title 21 of the United States Code.



JUDGE KOELTL

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about February 24, 2006, in New York, New York, FAIROL GOMEZ, the defendant, met with an undercover law enforcement officer (the "UC") in connection with the sale of approximately 59 grams of crack cocaine.

b. On or about April 7, 2006, in New York, New York, GOMEZ met with the UC in connection with the sale of approximately 59 grams of crack cocaine.

(Title 21, United States Code, Section 846.)

COUNT TWO

The Grand Jury further charges:

4. On or about February 24, 2006, in the Southern District of New York, FAIROL GOMEZ, the defendant, unlawfully, intentionally, and knowingly distributed and possessed with intent to distribute a controlled substance, to wit, approximately 59 grams of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(A); and Title 18, United States Code, Section 2.)

COUNT THREE

The Grand Jury further charges:

5. On or about April 7, 2006, in the Southern District of New York, FAIROL GOMEZ, the defendant, unlawfully, intentionally, and knowingly distributed and possessed with intent to distribute a controlled substance, to wit, approximately 59 grams of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(A); and Title 18, United States Code, Section 2.)

COUNT FOUR

6. From at least in or about April 15, 2005, up to and including in or about May 22, 2005, in the Southern District of New York and elsewhere, FAIROL GOMEZ, the defendant, not being a licensed importer, licensed manufacturer, and licensed dealer, unlawfully, wilfully, and knowingly engaged in the business of dealing in firearms, and in the course of such business did ship, transport, and receive firearms in interstate and foreign commerce.

(Title 18, United States Code, Sections
922(a)(1)(A) and 2.)


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(21 U.S.C. §§ 812, 841(a)(1),
841(b)(1)(B), 846.)
(18 U.S.C. §§ 922(a)(1), 2.)

MICHAEL J. GARCIA
United States Attorney.

5/16/2007 FILED WAIVER OF INDICTMENT AND INFORMATION. DEFT PLEADS
NOT GUILTY TO INFORMATION. DEFT PRES W/ATTY PHIL WEINSTEIN.
AUSA ARLO DEVLIN-BROWN, REPORTER MICHAEL MCDANIEL.
PRETRIAL CONFERENCE. ADJOURNED TO 7/13/2007 AT 4:00PM
TIME EXCLUDED FROM 5/16/2007 TO 7/13/2007. BAIL CONF'D

— JUDGE ROELF